

DEFENSE

**Agreement Between the
UNITED STATES OF AMERICA
and TURKEY**

Effected by Exchange of Notes at
Ankara June 18 and 22, 2007



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“...the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

TURKEY

Defense

*Agreement effected by exchange
of notes at Ankara
June 18 and 22, 2007;
Entered into force December 10, 2007.*

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Turkey and has the honor to refer to earlier discussions between representatives of the Government of the United States of America and the Government of the Republic of Turkey regarding the participation of Turkey and other members of the South Eastern Europe Brigade (SEEBRIG) in peacekeeping operations and the furnishing of articles and services from the United States of America to the Government of the Republic of Turkey for the purpose of such peacekeeping operations. In accordance with these discussions, it is proposed that the Government of the Republic of Turkey agree, with respect to such articles and services:

A. That unless the consent of the Government of the United States of America has been first obtained, the Government of Republic of Turkey shall not:

- (I) Permit any use of such articles or services by anyone not an officer, employee or agent of the Government of the Republic of Turkey;
- (II) Transfer, or permit any officer, employee or agent of the Government of the Republic of Turkey to transfer, such articles or services by gift, sale or otherwise; or
- (III) Use, or permit the use of, such articles or services for purposes other than those for which provided;

B. That such articles shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of the Republic of Turkey in disposing of, with prior written consent of the Government of the United States of America, any such article, including scrap from any such article, shall be paid to the Government of the United States of America.

D. That the Government of the Republic of Turkey shall maintain the security of such articles and services; that it shall provide substantially the same degree of security protection afforded to such articles or services by the Government of the United States of America; that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Turkey; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

The Note of the Ministry of Foreign Affairs stating that the foregoing is acceptable to the Government of the Republic of Turkey shall, together with this note, constitute an agreement between the two Governments, which shall enter into force after the Ministry notifies the Embassy of the United States of America that the Government of the Republic of Turkey has completed the domestic procedures necessary to bring the agreement into force.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Turkey the assurances of its highest consideration.

Embassy of the United States of America,

Ankara, June 18, 2007.





2007/UNGY/260597

The Ministry of Foreign Affairs of the Republic of Turkey presents its compliments to the Embassy of the United States of America and refers to the Embassy's Note No: 1094 dated June 18, 2007 which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Turkey and has the honor to refer to earlier discussions between representatives of the Government of the United States of America and the Government of the Republic of Turkey regarding the participation of Turkey and other members of the South Eastern Europe Brigade (SEEBRIG) in peacekeeping operations and the furnishing of articles and services from the United States of America to the Government of the Republic of Turkey for the purpose of such peacekeeping operations. In accordance with these discussions, it is proposed that the Government of the Republic of Turkey agree, with respect to such articles and services:

A. That unless the consent of the Government of the United States of America has been first obtained, the Government of Republic of Turkey shall not:

(I) Permit any use of such articles or services by anyone not an officer, employee or agent of the Government of the Republic of Turkey;

(II) Transfer, or permit any officer, employee or agent of the Government of the Republic of Turkey to transfer, such articles or services by gift, sale or otherwise; or

(III) Use, or permit the use of, such articles or services for purposes other than those for which provided;

B. That such articles shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of the Republic of Turkey in disposing of, with prior written consent of the Government of the United States of America, any such article, including scrap from any such article, shall be paid to the Government of the United States of America.

D. That the Government of the Republic of Turkey shall maintain the security of such articles and services; that it shall provide substantially the same degree of security protection afforded to such articles or services by the Government of the United States of America; that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Turkey; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

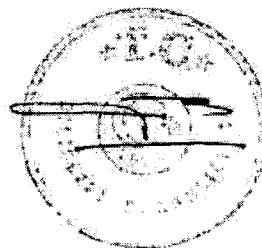
The Note of the Ministry of Foreign Affairs stating that the foregoing is acceptable to the Government of the Republic of Turkey shall, together with this note, constitute an agreement between the two Governments, which shall enter into force after the Ministry notifies the Embassy of the United States of America that the Government of the Republic of Turkey has completed the domestic procedures necessary to bring the agreement into force.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Turkey the assurances of its highest consideration."

The Ministry of Foreign Affairs of the Republic of Turkey has the honour to confirm that the proposal set forth in the Embassy's Note is acceptable to the Government of the Republic of Turkey and that the Embassy's Note and this Note in reply shall constitute an agreement between the two Governments which shall enter into force following the notification to be sent by the Ministry to the Embassy stating that the domestic procedures necessary to bring the agreement into force has been completed.

The Ministry of Foreign Affairs of the Republic of Turkey avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Ankara, June 22, 2007



Embassy of the United States of America
ANKARA